

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES R. KERNS,

Petitioner,

No. CIV S-05-0746 GEB CKD P

vs.

A.K. SKRIBNER, et al.,

Respondents.

ORDER

On January 13, 2012, petitioner filed a motion seeking relief, under Rule 60(b)(6) of the Federal Rules of Civil Procedure, from the court's April 23, 2009 denial of his petition for writ of habeas corpus. On April 14, 2011, petitioner's appeal concerning the denial of his petition for writ of habeas corpus was dismissed as the Ninth Circuit declined to grant petitioner a certificate of appealability.

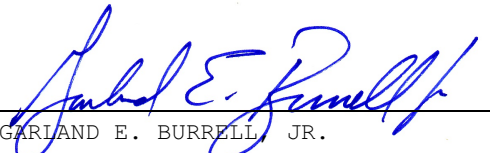
Petitioner fails to point to anything within the context of claims already presented warranting relief from judgment. To the extent petitioner wishes to raise new claims, he must first seek permission in the Ninth Circuit to do so which it does not appear petitioner has done. 28 U.S.C. § 2244. For these reasons, petitioner's motion for relief from judgment will be denied.

////

////

1 Accordingly, IT IS HEREBY ORDERED that petitioner's January 13, 2012
2 motion for relief from judgment is denied.

3 Dated: February 23, 2012

4
5 
6 GARLAND E. BURRELL, JR.
United States District Judge